

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

ORLY WILLIAMS, on behalf of herself and all  
others similarly situated,

Plaintiff,

Case No. 6:09-CV-225 MV/RHS

vs.

CHASE BANK USA, N.A.

Defendant.

**UNOPPOSED MOTION TO STAY PROCEEDINGS PENDING  
TRANSFER TO MULTIDISTRICT LITIGATION COURT**

Defendant Chase Bank USA, N.A. (“Chase”) respectfully requests a stay of proceedings in this Court pending the near-term transfer of this action to the United States District Court for the Northern District of California, the Hon. Maxine M. Chesney (the “MDL Court”), where it will be made a part of In re: Chase Bank USA, N.A., “Check Loan” Contract Litigation, No. M:09-cv-02032-MMC. Counsel for plaintiff has been contacted and does not object to this motion.

On June 26, 2009, the Judicial Panel on Multidistrict Litigation (“JPML”) ordered fourteen actions transferred to the MDL Court (the “Transfer Order”). A copy of the Transfer Order is attached hereto as Exhibit A. In addition to those fourteen actions, the JPML also identified eighteen actions as “tag-along” actions subject to conditional transfer orders. This matter is a “tag-along” action and has received (or will soon receive) a conditional transfer order to the MDL Court under JPML Rules 7.4 and 7.5. See Ex. A at n.1. Chase does not expect plaintiffs herein to object to the transfer, and substantially all plaintiffs in all cases have agreed to the following schedule, which was approved by Judge Chesney on July 10, 2009:

- Those plaintiffs who wish to do so will file a consolidated amended complaint by July 24, 2009; and
- The parties will seek to conduct an initial case management conference before the MDL Court on July 31, 2009; and
- If Chase elects to move to compel arbitration with respect to any claims, it will do so by August 31, 2009; and
- If it does not elect to move for arbitration, Chase will respond to the amended complaint(s) by September 21, 2009.

A copy of the Order Extending Time for Defendants' Response to All Complaints and Resetting Case Management Conference is attached hereto as Exhibit B.

The extension of time entered by this Court expires on July 13, 2009. Given this action's impending transfer to the MDL Court, and the schedule proposed to that Court, Chase respectfully requests that the existing stay be extended until the JPML transfer is complete, and that the parties be directed thereafter to comply with Judge Chesney's scheduling orders.

RESPECTFULLY SUBMITTED this 13th day of July, 2009.

LEWIS AND ROCA LLP

By /s/ Ross L. Crown  
Ross L. Crown  
Attorneys for Defendant Chase Bank USA, N.A.  
PO Box 1027  
Albuquerque, New Mexico 87103  
(505) 764-5400  
(505) 764-5463  
Email: RCrown@LRLaw.com

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 13<sup>th</sup> day of July 2009, I filed the foregoing electronically through the CM/ECF system, which caused the following parties or counsel to be served by electronic means as more fully reflected on the Notice of Electronic Filing and addressed as follows:

Thomas Hnasko  
Hinkle, Hensley, Shanor & Martin, LLP  
P.O. Box 2068  
Santa Fe, New Mexico 87504

/s/ Ross L. Crown  
Ross L. Crown